

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

NOV 22 2016

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

CR 16-45-M-DWM

Plaintiff,

vs.

JESSICAL LYNN CLOUGH, *aka*
Jessica Lynn Kotur, and RANDY JOE
CLOUGH, JR.,

Defendants.

ORDER
NUNC PRO TUNC

The United States moves for a protective order regarding personal identification information and sensitive financial information contained in discovery in this matter. (Doc. 20.) The motion is unopposed. As shown by the United States' brief, good cause for the protective order exists under Federal Rule of Criminal Procedure 16(d)(1). Accordingly,

IT IS ORDERED that

1. The following materials are subject to this protective order: all materials that contain (1) personal identification information, including but not limited to any social security number, date of birth, mailing address, electronic mail address, phone number, and/or social media subscriber information; and (2)

sensitive financial information, including but not limited to any bank account number, credit and debit card number and statements, tax identification number, federal or state tax returns, transcripts, and tax return preparation materials, business financial statement and associated supporting items, and/or business plans or projections.

2. Defense counsel may make such use of information only as is necessary to prepare for trial and for use at trial and sentencing, including motions relating to trial and sentencing. Any counsel, defendant, or other person to whom disclosure is made pursuant to this paragraph may not use the discovery materials for any purpose other than preparation for or use at trial and sentencing in this case, and may not disclose the discovery materials or information contained in the discovery materials to any third party, except as required to prepare for trial or for use at trial or sentencing in this case. Prior to disclosure of any information, defense counsel shall provide the person to whom disclosure is to be made with a copy of this order.

3. Should defense counsel provide any copies of materials that contain information referenced in paragraph 1, above, in accordance with paragraph 2, above, counsel shall maintain a log of every person to whom copies of discovery

materials containing such information are provided, and shall obtain and retain from every such person at the time of disclosure the following written statement:

"I acknowledge that discovery materials have been provided to me for the purpose of assisting defendants Jessica Lynn Clough and/or Randy Joe Clough, Jr. in preparing for and/or using such materials at trial or sentencing. I have read the Order of the Court dated November 22, 2016,* permitting such disclosure to me, and agree as directed in that Order that I will use the discovery materials only for preparation for or use at trial or sentencing in the matter of *United States v. Jessica Lynn Clough, aka Jessica Lynn Kotur, and Randy Joe Clough, Jr.*, CR 16-45-M-DWM, and will not otherwise disclose the discovery materials or information contained in the discovery materials to any third party. I acknowledge that a violation of the Court's Order may result in penalties for contempt of court."

DATED this 21 day of November, 2016.



Donald W. Molloy, District Judge
United States District Court

*Previous order dated November 21, 2016.